

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Confirmation No.: 2578

Mueller-Hermelink et al.

Group Art Unit: 1642

Application No. 10/520,224

Examiner: Reddig, Peter J.

Filed: August 19, 2005

Title: Neoplasm Specific Antibodies and Uses Thereof

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, the undersigned, do hereby declare and state as follows:

1. We are the inventors of the claimed subject matter of the above-identified U.S. patent application.

2. Neither the PM-2 antibody nor the PM-2 producing hybridoma (deposit no. DSM ACC 2600), which are the subject, in part, of the above-referenced application, were available to the public prior to the July 2, 2003 filing of international application serial no. PCT/IB2003/003487.

3. We further declare that with respect to all statements made herein: (i) all statements of our own knowledge made are true; (ii) all statements made on information and belief are believed to be true; and (iii) these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both (18 U.S.C. § 1001), and may jeopardize the validity of the application or any patent issued thereon.

16.04.2009

Date

17.04.2009

Date

Hans-Kohrad Mueller-Hermelink

Heinz Peter Vollmers